

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**1:05cv224**

**TIMOTHY ALAN HOGLEN; and wife, )  
LINDA MARIE HOGLEN, )**

**Plaintiffs, )**

**Vs. )**

**H & S HOMES, L.L.C., individually and )  
d/b/a DYNASTY HOMES; and )  
COUNTRYWIDE HOME LOANS, INC., )**

**Defendants. )**

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**SHOW CAUSE  
ORDER**

**THIS MATTER** is before the court on the court's own Motion to Dismiss this action for failure to prosecute. The court has considered the responses and entered a Pretrial Order and Case Management Plan. While neglect has been shown, the parties have not shown that it was excusable. Fed.R.Civ.P. 6(b). Inasmuch as the delay amounted to nearly one year, a hearing will be conducted on Tuesday, April 10, 2007, at 11 a.m. to determine an appropriate sanction.

**ORDER**

**IT IS, THEREFORE, ORDERED** that counsel for the respective parties **SHOW CAUSE** on or before March 30, 2007.

Signed: April 2, 2007

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

